

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

JOHNSON OBIEGBU, :
Plaintiff :
v. : Case No. 3:10-cv-277-KRG-KAP
ROBERT WERLINGER, WARDEN, F.C.I.:
LORETTO, et al., :
Defendants :

Memorandum Order

This matter was referred to Magistrate Judge Keith A. Pesto for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b), and Local Rule 72 for Magistrate Judges.

The Magistrate Judge filed a Report and Recommendation on January 15, 2014, docket no. 113, recommending that the remaining defendant's motion for summary judgment, docket no. 96, be granted.

The parties were notified that, pursuant to 28 U.S.C. § 636(b)(1), they had fourteen days to file written objections to the Report and Recommendation. Plaintiff filed timely objections at docket no. 114, and an appeal at docket no. 119 from the Magistrate Judge's denial at docket no. 118 of the plaintiff's motion at docket no. 115 for the recusal of the Magistrate Judge and plaintiff's motion at docket no. 116 for the appointment of counsel.

After de novo review of the record, the Report and Recommendation, and the objections thereto, the following judgment order is entered:

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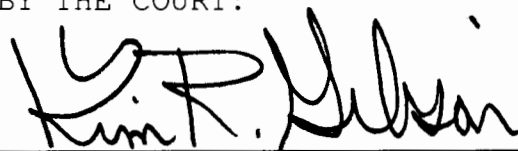
JOHNSON OBIEGBU, :
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LORETTO, et al., :
Defendants :

JUDGMENT (see Fed.R.Civ.P. 58(b)(1)(C))

AND NOW, this 10th day of March, 2014, it is

ORDERED that defendant Wirfel's motion for summary judgment, docket no. 96, is granted. The Report and Recommendation at docket no. 113 is adopted as the opinion of the Court. The plaintiff's appeal from the denial of the motions for recusal and for the appointment of counsel is denied. The Clerk shall mark this matter closed.

BY THE COURT:



KIM R. GIBSON,
UNITED STATES DISTRICT JUDGE

Notice by ECF to counsel of record and by U.S. Mail to:

Johnson Obiegbu, Reg. No. 36883-177
F.C.I. Fort Dix
P.O. Box 2000
Fort Dix, NJ 08640